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*Proposed Attorneys for the Debtor and Debtor in
Possession*

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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Chapter 11

In re:

Case No: 15-12899-jlg

**NEW CREATORS INC.
D/B/A SUSHI SASABUNE NY,**

Debtor.

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**SUPPLEMENT TO DEBTOR'S MOTION
PURSUANT TO SECTIONS 105(A) AND 363(B) OF THE
BANKRUPTCY CODE AND BANKRUPTCY RULES 6003 AND 6004 FOR
AUTHORIZATION (I) TO PAY WAGES, COMPENSATION, AND EMPLOYEE
BENEFITS, AND (II) OF FINANCIAL INSTITUTIONS TO HONOR AND
PROCESS CHECKS AND TRANSFERS RELATED TO SUCH OBLIGATIONS**

TO THE HONORABLE JAMES L. GARRITY, JR.
UNITED STATES BANKRUPTCY JUDGE:

New Creators Inc. d/b/a Sushi Sasabune NY (the "Debtor"), by its proposed counsel,
Robinson Brog Leinwand Greene Genovese & Gluck P.C., respectfully represents:

1. The Debtor submits this supplement its Motion Pursuant to Section 105(a) and 363(b) of the Bankruptcy Code and Bankruptcy Rules 6003 and 6004 For Authorization (I) to Pay Wages, Compensation, and Employee Benefits, and (II) of Financial Institutions to Honor and Process Checks and Transfers Related to Such Obligations (the "Wage Motion"). The payroll period runs from October 18, 2015 – November 1, 2015. This payroll period contains wages and other amounts that were earned prepetition, specifically, from October 18 through

October 29, 2015. The Debtor supplements the Wage Motion to reflect that during this payroll period, the Debtor utilized the services of 13 employees, nine of whom were paid hourly. The Debtor's gross payroll obligation is \$16,073.51, with \$4,213.06 to be withheld on account of Payroll Taxes¹ as described in the Wage Motion. Even though this current payroll petition extends into the Debtor's postpetition period, no employee will be paid over the \$12,475 cap under section 507(a)(4) of the Bankruptcy Code.

WHEREFORE, the Debtor respectfully requests entry of the revised order, attached hereto as **Exhibit A**, and grant such other and further relief as it deems just and proper.

Dated: New York, New York
November 3, 2015

ROBINSON BROG LEINWAND
GREENE GENOVESE & GLUCK, P.C.

By: /s/ A. Mitchell Greene
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¹ Terms not defined herein shall have the meaning proscribed in the Wage Motion.

EXHIBIT A

Proposed Order

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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Chapter 11

In re:

Case No: 15-12899-jlg

**NEW CREATORS INC.
D/B/A SUSHI SASABUNE NY,**

Debtor.

-----X

**ORDER PURSUANT TO SECTIONS 105(A) AND
363(B) OF THE BANKRUPTCY CODE AND BANKRUPTCY
RULES 6003 AND 6004 AUTHORIZING THE DEBTOR
TO (I) PAY WAGES, COMPENSATION, AND EMPLOYEE
BENEFITS, AND (II) OF FINANCIAL INSTITUTIONS TO HONOR AND
PROCESS CHECKS AND TRANSFERS RELATED TO SUCH OBLIGATIONS**

Upon the motion, dated October 29, 2015 and supplement, dated November 3, 2015 (together, the “Motion”), of New Creators Inc. d/b/a Sushi Sasabune NY, as debtor and debtor in possession (the “Debtor”), seeking authorization, pursuant to sections 105(a) and 363(b) of title 11 of the United States Code (the “Bankruptcy Code”) and Rule 6003 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), to pay wages, compensation, and all other Employee Obligations² and authorizing financial institutions to honor and process checks and transfers related to such obligations, all as more fully described in the Motion; and the Court having jurisdiction to consider the Motion and the relief requested therein in accordance with 28 U.S.C. §§ 157; and consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion having been provided to (i) the United States Trustee for the Southern District of New York (the “U.S. Trustee”) and (ii) all scheduled creditors, and it appearing that no other or further notice need be provided; and a

² Terms not defined herein shall have the meaning proscribed in the Motion.

hearing having been held to consider the relief requested in the Motion (the “Hearing”); and the appearances of all interested parties having been noted in the record of the Hearing; and upon the record of the Hearing, and all of the proceedings had before the Court; and the Court having found and determined that the relief sought in the Motion is in the best interests of the Debtor, its estate and creditors, and all parties in interest and that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is

ORDERED that the Motion is granted; and it is further

ORDERED that pursuant to sections 105(a) and 363(b) of the Bankruptcy Code, the Debtor is authorized, but not directed, to continue to honor existing practices, programs, and policies with respect to its Employees as such practices, programs, and policies were in effect as of the date of the commencement of the Debtor’s chapter 11 case; and it is further

ORDERED that pursuant to sections 105(a) and 363(b) of the Bankruptcy Code, the Debtor is authorized, but not required, to make all payments with respect to the Employee Obligations in the amounts reflected in Schedule 1, attached to this order, with respect to such Employee Obligations, and in accordance with the Debtor’s prepetition practices and policies; and it is further

ORDERED that nothing in the Motion shall be deemed a request by the Debtor for authority to assume, and nothing in this Order shall be deemed authorization or approval to assume, any executory contract or unexpired lease pursuant to section 365 of the Bankruptcy Code; and it is further

ORDERED that nothing in the Motion or this Order shall be construed as impairing the Debtor’s right to contest the validity or amount of any Employee Compensation Obligation or

Employee Obligation, including without limitation any taxes that may be due to any taxing authority; and it is further

ORDERED that Bankruptcy Rule 6003(b) has been satisfied; and it is further

ORDERED that notwithstanding any applicability of Bankruptcy Rules 6004(h), 7062, or 9014, the terms and conditions of this Order shall be immediately effective and enforceable upon its entry; and it is further

ORDERED that notice of the Motion as provided therein shall be deemed good and sufficient notice of such Motion and the requirements of Bankruptcy Rules 4001(d) and 6004(a) are waived; and it is further

ORDERED that within three (3) business days after entry of this Order, the Debtor shall serve a copy of this Order on (i) the U.S. Trustee and (ii) the Debtor's twenty (20) largest unsecured creditors.

DATED: New York, New York
_____, 2015

HONORABLE JAMES L. GARRITY, JR.
UNITED STATES BANKRUPTCY JUDGE

Schedule of Wages

<u>Employee</u>	<u>Gross Wages</u>	<u>Payroll Taxes</u>	<u>Net Pay</u>
Chuqui, Segundo M.	\$389.82	\$29.82	\$360.00
Cortes, Daniel	\$1,434.05	\$260.55	\$1,173.50
Gurung, Sanjay	\$577.50	\$94.90	\$482.60
Inga, Cristian Paul	\$245.00	\$19.28	\$225.72
Mizuno, Maiko	\$592.09	\$59.59	\$532.50
Morishima, Miho	\$568.69	\$67.19	\$501.50
Perez, Antonio	\$130.00	\$9.95	\$120.05
Takahashi, Kenji	\$1,258.43	\$258.43	\$1,000.00
Takahashi, Nami	\$9,000.00	\$3,016.87	\$5,983.13
Takahashi, Yoshimasa	\$800.00	\$187.61	\$612.39
Takahashi, Yuki	\$800.00	\$187.61	\$612.39
Tran, Van Binh	\$50.00	\$3.83	\$46.17
Usui, Minako	\$227.93	\$17.43	\$210.50